

Gabriel Del Virginia, Esq. (GDV-4951)
LAW OFFICES OF GABRIEL DEL VIRGINIA

Presentment Date: August 16, 2024
Presentment Time: 12:00 noon

*Proposed Attorneys for the Debtor
and Debtor in Possession.*

30 Wall Street, 12th Floor,
New York, New York 10005.

Telephone: 212-371-5478

Facsimile: 212-371-0460

gabriel.delvirginia@verizon.net

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re

GOTHAM RESTAURANTS LLC,

Chapter 11

Case No. 24-11276-pb

Debtor.

-----X

**NOTICE OF PRESENTMENT OF MOTION SEEKING AN ORDER EXTENDING
THE DEBTOR'S TIME TO FILE: SCHEDULES OF ASSETS AND LIABILITIES,
RULE 1007-2 DECLARATION, STATEMENTS OF FINANCIAL AFFAIRS AND
LISTS OF EXECUTORY CONTRACTS, UNEXPIRED LEASES, EQUITY
SECURITY HOLDERS AND OTHER REQUIRED FILINGS.**

PLEASE TAKE NOTICE that upon the annexed motion of (the "Motion") of
GOTHAM RESTAURANTS LLC, the above-captioned debtor and debtor-in-possession
(the "Debtor"), the undersigned will present the attached proposed order to the
Honorable Philip Bentley, United States Bankruptcy Judge, for signature on August
16, 2024 at 12:00 p.m.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion or the
relief requested therein must be in writing, must conform to the Federal Rules of
Bankruptcy Procedure and the Local Bankruptcy Rules of the Bankruptcy Court for
the Southern District of New York (the "Court"), must set forth the name of the
objecting party, and the basis for the objection and the specific grounds therefor, and

must be filed with the Court electronically, (with a hard copy delivered directly to Bankruptcy Judge Bentley's chambers), and any objection must further be served upon: (i) the Law Offices of Gabriel Del Virginia, 30 Wall Street, 12th Floor New York, New York 10055, Attention: Gabriel Del Virginia, Esq. and (ii) the United States Trustee's Office for the Southern District of New York, One Bowling Green-534, New York, New York 10014, Greg Zipes, Esq., so as to be received no later than 11:30 a.m. on August 16, 2024 prevailing Eastern time. Unless objections are received by that time, the order may be signed.

PLEASE TAKE FURTHER NOTICE that if an objection is timely filed, served and received, a hearing will be scheduled.

Dated: August 1, 2024
New York, New York

LAW OFFICES OF GABRIEL DEL VIRGINIA
*Proposed Attorneys for the Debtor
and Debtor-in-Possession*

By: /s/ Gabriel Del Virginia
Gabriel Del Virginia
30 Wall Street, 12th Floor,
New York, New York 10005.
Telephone: 212-371-5478
Facsimile: 212-371-0460
gabriel.delvirginia@verizon.net

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re

GOTHAM RESTAURANTS LLC,

Chapter 11
Case No. 24-11276-pb

Debtor.

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**MOTION FOR AN ORDER EXTENDING THE DEBTOR'S TIME
TO FILE SCHEDULES OF ASSETS AND LIABILITIES, STATEMENTS OF
FINANCIAL AFFAIRS, LISTS OF EXECUTORY CONTRACTS,
UNEXPIRED LEASES AND EQUITY SECURITY HOLDERS
AND OTHER REQUIRED FILINGS.**

**TO: THE HONORABLE PHILIP BENTLEY
UNITED STATES BANKRUPTCY JUDGE**

Gotham Restaurants LLC, the above-captioned debtor and debtor-in-possession
(the "Debtor"), respectfully submits this motion (the "Motion") and respectfully
represents:

BACKGROUND.

1. The Debtor filed its voluntary petition for relief under the provisions of 11 U.S.C. Chapter 11 on July 24, 2024 (the "Petition Date").
2. The Debtor continues to manage its property as a debtor and debtor-in-possession.
3. Mr. Samuel Dawidowicz was appointed as sub chapter v trustee.

4. The Debtor is a New York limited liability company in the business of, among other things, owning and managing the historic Gotham Bar & Grill restaurant, and creating fine chocolate products.

5. The Debtor operates from its premises ("Premises") located at 12 East 12th Street New York, New York 10003, which the Debtor leases from the landlord ("Landlord").

6. The Petition was filed on an exigent basis to avoid certain lenders from restraining assets and related tax-liability issues.

7. The Debtor's management believes that, given the breathing spell provided by the filing of this case, the Debtor will be able to resolve the manifold financial issues through investment in the Debtor and continue operations as a means of emerging from bankruptcy promptly.

RELIEF REQUESTED

8. For the reasons set forth below, the Debtor seeks in the instant Motion, entry of an order, extending its time to file respective schedules of assets and liabilities (the "Schedules"), statements of financial affairs ("Statements"), lists of executory contracts, unexpired leases, and equity security holders ("Lists") and the other required filings, including but not limited to the Rule 1007-2 Declaration ("Other Required Filings") through and including September 9, 2024.

BASIS FOR RELIEF REQUESTED

9. Pursuant to Rule 1007(c) of the Federal Rules of Bankruptcy Procedure, the initial time within which the Debtor must file its Schedules, Statements, Lists, and

Other Required Filings expires on August 7, 2024. The Debtor now respectfully requests an extension to September 9, 2024, to file the documents.

10. The Debtor's Member, Mr. Bret Csencsitz has had very scant time to assemble and prepare the information necessary to complete the Schedules, Statements, Lists, and Other Required Filings before the filing of the Debtor's Chapter 11 case - as he has been actively seeking investors/lenders to reorganize the Debtor's affairs. Moreover, the Petition was filed on an exigent basis to avoid deleterious creditor action.

11. Given the requested additional time, the Debtor's management and counsel will work to prepare the Schedules, Statements, Lists, and Other Required Filings to reflect accurately the financial circumstances of the Debtor as of the Filing Date. To reiterate, however, due to the constraints of time and resources, the Debtor will require additional time to prepare the Schedules, Statements, Lists and Other Required Filings.

12. Accordingly, this Motion is being submitted to obtain an extension, through and including September 9, 2024, of the time in which the Debtor may file its Schedules, Statements, Lists, and Other Required Filings without prejudice to the Debtor's right to seek further extensions for cause.

CONCLUSION.

13. This Motion has been submitted to the Office of the United States Trustee and the sub chapter v Trustee. The Debtor respectfully submits and requests that this Court so find that no further notice is required.

14. No previous motion for the relief requested herein has been made to this or any other Court.

15. The Debtor respectfully submits that no new or novel issue of law with respect to the matters contained herein is presented and that no controversial issue of fact is raised and respectfully requests that the requirement of a memorandum of law, pursuant to The Local Bankruptcy Rules, be waived.

WHEREFORE, the Debtor respectfully requests entry of an order granting the extension of time to file its Schedules, Statements, Lists and Other Required Filings through and including September 9, 2024.

Dated: New York, New York
August 1, 2024

GOTHAM RESTAURANTS LLC
Debtor and Debtor-in-Possession
/s/ Bret Csencsitz
Member

LAW OFFICES OF GABRIEL DEL VIRGINIA
*Proposed Attorneys for the Debtor
and Debtor-in-Possession*
By: /s/ Gabriel Del Virginia
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New York, New York 10005.
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